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DRW

In re Patent Application of: Kenneth C. Johnson et al.

Atty Docket No. TWI-30510

Application No.: 10/777,353

Filed: February 12, 2004

Confirmation No.: 5063

For: DATABASE INTERPOLATION METHOD FOR OPTICAL MEASUREMENT OF DIFFRACTIVE MICROSTRUCTURES

M/S AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmittal herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	10	MINUS	20	0	x \$50 =	\$0
INDEP.	2	MINUS	3	0	x \$200 =	\$0
FIRST PRESENTATION OF MULTIPLE DEP CLAIMS					+ \$360	\$0
					TOTAL	\$0

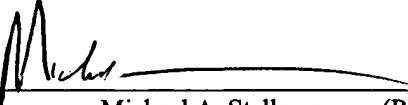
Small Entity 50% Filing Fee Reduction (if applicable) \$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.)

1.  No additional fee is required.
2.  A check in the amount of \$\_\_\_\_\_ is attached.
3.  Please charge any additional fees, including any fees necessary for extensions of time or credit overpayment to Deposit Account No. 50-1703, under Order No. TWI-30510.  
A duplicate copy of this sheet is enclosed.
4.  Petition for extension of time. The undersigned attorney of record hereby petitions for an extension of time pursuant to 37 C.F.R. § 1.136(a), as may be required, to file this response.

STALLMAN & POLLOCK LLP

Dated: March 3, 2005

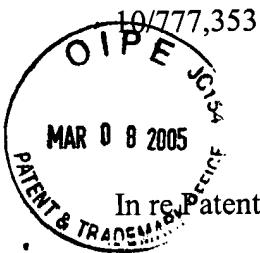
By:   
Michael A. Stallman (Reg. No. 29,444)  
Attorneys for Applicant(s)

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 3, 2005.

Dated: 03-03-2005

By:   
Tanisha Lawrence-Caceres



PATENT

-1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kenneth C. Johnson et al.

Application No.: 10/777,353

Filed: February 12, 2004

For: DATABASE INTERPOLATION METHOD  
FOR OPTICAL MEASUREMENT OF  
DIFFRACTIVE MICROSTRUCTURES

Confirmation No.: 5063

Group Art Unit: 2857

Examiner: Carol S.W. Tsai

**RESPONSE TO OFFICE ACTION  
MAILED DECEMBER 13, 2004**

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STALLMAN & POLLOCK LLP

Dated: 03-13-2005 By: Tanisha Lawrence-Caceres

M/S AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated December 13, 2004, Applicants request reconsideration for the following reasons:

**REMARKS**

In the Office Action, the Examiner rejected claims 1-10 based on the patent to Maris (5,844,684) in view of Maris (6,211,921).

In the previous Office Action (dated July 22, 2004), the Examiner relied on the same two patents to reject the claims. In their previous response, applicants pointed out that while the Maris references disclose the general concept of "interpolation," they failed to teach or suggest "*an interpolation model that defines a substantially continuous function which intersects with the interpolation points.*" This concept is found in applicants' pending independent claims 1 and 5.

In the pending Office Action, the Examiner disagreed with the applicants. In support of her position, the Examiner referred to a statement in applicants' specification at page 8,m line 23